

FORM PTO-1390 (Modified) (REV 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 1128034	
<b>TRANSMITTAL LETTER TO THE UNITED STATES</b> <b>DESIGNATED/ELECTED OFFICE (DO/EO/US)</b> <b>CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR <div style="font-size: 1.5em; font-weight: bold; text-align: center;">10/019848</div>	
INTERNATIONAL APPLICATION NO. <b>PCT/EP00/03887</b>		INTERNATIONAL FILING DATE <b>May 2, 2000</b>		PRIORITY DATE CLAIMED <b>April 29, 1999</b>	
TITLE OF INVENTION <b>COMPOSITION FOR AN INFANT FORMULA HAVING A LOW THREONINE CONTENT</b>					
APPLICANT(S) FOR DO/EO/US <b>Kratky, Z., et al.</b>					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2))           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))           <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> <li>11. <input checked="" type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> </ol> <p><b>Items 13 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>13. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>19. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>20. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>21. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>22. <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail</li> <li>23. <input checked="" type="checkbox"/> Other items or information:</li> </ol> <p style="margin-top: 10px;"><b>Return Receipt Postcard</b></p>					

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.492(a)(1)) <b>Unknown</b>	INTERNATIONAL APPLICATION NO. <b>PCT/EP00/03887</b>	ATTORNEY'S DOCKET NUMBER <b>112843-034</b>
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24. The following fees are submitted:

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :**

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|--|-----------|
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . | \$1040.00 |
| <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . .  | \$890.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . .  | \$740.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . .   | \$710.00  |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . .   | \$100.00  |

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**\$890.00**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

**\$0.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	39 - 20 =	19	x \$18.00		<b>\$342.00</b>
Independent claims	5 - 3 =	2	x \$84.00		<b>\$168.00</b>
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>					<b>\$0.00</b>

**TOTAL OF ABOVE CALCULATIONS =**

**\$1,400.00**

☐ Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.

**\$0.00**

**SUBTOTAL =**

**\$1,400.00**

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

**\$0.00**

**TOTAL NATIONAL FEE =**

**\$1,400.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

**\$0.00**

**TOTAL FEES ENCLOSED =**

**\$1,400.00**


<b>Amount to be refunded</b>	\$
<b>charged</b>	\$

- a. ☒ A check in the amount of **\$1,400.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **02-1818** A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**Robert M. Barrett (Reg. No. 30,142)**  
**Bell, Boyd & Lloyd LLC**  
**P.O. Box 1135**  
**Chicago, Illinois 60690-1135**  
**Tel: 312/807-4204**  
**Fax: 312/372-2098**



SIGNATURE

**Robert M. Barrett**

NAME

**30,142**

REGISTRATION NUMBER

**October 26, 2001**

DATE

10/019843

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**

Applicant(s): **KRATKY, Z., et al**

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Docket No.

PCT/PTO 128343-3 26 OCT 2001

Serial No. PCT/EP00/03887	Filing Date October 26, 2001	Examiner Unassigned	Group Art Unit Unassigned
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Invention: **COMPOSITION FOR AN INFANT FORMULA HAVING A LOW THREONINE CONTENT**

I hereby certify that the following correspondence:

**Transmittal Letter US/Designated Elected Office (duplicate); Unexecuted Declaration and Power of Attorney (5 pgs.); International Application As Published; International Search Report; Preliminary Examination Report; Information Disclosure Statement (2 pgs.); PTO-1449 (1 pg.); Five References ; Preliminary Amendment (11 pgs.); Check in the amount of \$1,400.00; Return Receipt Postcard**

*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

**October 26, 2001**

*(Date)*

**Robert J. Bucheri**  
*(Typed or Printed Name of Person Mailing Correspondence)*

*(Signature of Person Mailing Correspondence)*

**EL 647237482US**

*("Express Mail" Mailing Label Number)*

**Note: Each paper must have its own certificate of mailing.**